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**PATENT**  
Attorney Docket No.: 14538A-008110US

TOWNSEND and TOWNSEND and CREW LLP

By: Marta M. Montineas

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

JEROME, Keith R. and  
SLOAN, Derek D.

Application No.: 10/595,840

Filed: May 15, 2006

For: METHODS FOR SCREENING  
FOR AGENTS CAPABLE OF  
MODULATING T  
LYMPHOCYTE FUNCTION IN  
RESPONSE TO A HERPES  
SIMPLEX VIRUS-INFECTED  
CELL

Customer No.: 20350

Confirmation No.: 7606

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER  
37 CFR §1.97 and §1.98**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached forms PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner.

Copies of the non-patent documents, in compliance with the requirements of 37 CFR §1.98(a)(2), are enclosed.

Also enclosed is a copy of the International Search Report corresponding to the PCT application.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Date: 16 May 2006

By: Brian W. Poor  
Brian W. Poor  
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60774193 v1

Substitute for form 1449A/PTO				<b>Complete if Known</b>	
				Application Number	10/595,840
				Filing Date	May 15, 2006
				First Named Inventor	Jerome, Keith R.
				Art Unit	
				Examiner Name	
(Use as many sheets as necessary)					
Sheet	1	of	2	Attorney Docket Number	
14538A-008110US					

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
AA		US-2003/0171279	09-11-2003	Munger et al.	
AB		US-6,218,103	04-17-2001	Leopardi et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup>	Number <sup>4</sup>			
AC	PCT	WO 2005/049800		06-02-2005	Jerome et al.	<input type="checkbox"/>

Examiner Signature		Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO				<i>Complete if Known</i>	
				<i>Application Number</i>	10/595,840
				<i>Filing Date</i>	May 15, 2006
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				<i>Art Unit</i>	
				<i>Examiner Name</i>	
Sheet	2	of	2	<i>Attorney Docket Number</i>	14538A-008110US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
	AD	MUNGER, J. <i>et al.</i> , "The Us3 Protein Kinase Blocks Apoptosis Induced by the d120 Mutant of Herpes Simplex Virus 1 at a Premitochondrial Stage," <i>J. Virol.</i> , 75:5491-5497 (June 2001).	<input type="checkbox"/>	
	AE	MUNGER, J. and ROIZMAN, B., "The Us3 Protein Kinase of Herpes Simplex Virus 1 Mediates the Posttranslational Modification of BAD and Prevents BAD-Induced Programmed Cell Death in the Absence of Other Viral Proteins," <i>Proc. Nat. Acad. Sci. USA</i> , 98:10410-10415 (August 28, 2001).	<input type="checkbox"/>	
	AF	GALVAN, V. <i>et al.</i> , "Bcl-2 Blocks a Caspase-Dependent Pathway of Apoptosis Activated by Herpes Simplex Virus 1 Infection in HEp-2 Cells," <i>J. Virol.</i> , 74:1931-1938 (February 2000).	<input type="checkbox"/>	

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